

7/18/07

To: CINMS Advisory Council

From: Linda Krop, Chair, Conservation Working Group

Re: Conservation Working Group Report, 7/18/07

The Conservation Working Group (CWG) met on July 18, 2007. Members present: Linda Krop, Chair (EDC), Greg Helms, Vice Chair (The Ocean Conservancy); Shiva Polefka (EDC); Jean Holmes (LWVSB), and Kira Redmond (SBCK). CINMS staff present: Sean Hastings.

I. INTRODUCTIONS

II. AQUACULTURE REPORT

Shiva informed the group that he has been talking to individual SAC members and integrated a few minor changes to the final report to address their questions and concerns. The changes do not modify the substance of the report or recommendations, but rather clarify certain statements. We discussed the upcoming SAC meeting and consideration of the document. We will bring handouts containing the recommendations to aid the discussion on Friday.

III. FEDERAL MARINE RESERVES

- A. Federal Register Notice re Final Rule and State Waters Portion: we discussed the Federal Register Notice announcing the final rule for the federal portion of the CINMS reserves, and inviting comment on the state waters portion. Comments are due July 23. Sean clarified the purpose and intent of the Notice and the focus of the request for comments. Linda and Shiva presented EDC's draft comment letter, in which we note that the proposed adoption of Alternative 1C will (a) diminish reserves management coordination and effectiveness; (b) leave gaps for awhile, rendering compliance and enforcement troublesome; (c) and leave the state waters portion of the reserves vulnerable to future changes by the state.

Sean also informed us that the federal portion of the reserves should be completed and in effect on July 27.

We acknowledged that the DEIR and the public overwhelmingly supported Alternative 1A.

Sean pointed out that the federal rule will be closed after state action on the gap areas. Even if the state approves extending the reserves into the gap areas

in October, the extension won't become effective for several months, leaving approximately six months with gaps between the state and federal reserves. We discussed the problems with this situation, including confusion, complications with enforcement, and difficulties creating regulatory and informational documents because the information will change as the gaps are included in the reserve network.

- B. Fish and Game Commission Hearing: the F&G Commission is scheduled to take public comment on the gap issue on August 10 in Santa Barbara, and to make a decision in October in Concord. We talked about the possibility of the SAC sending a representative to testify at the SB hearing.

IV. MANAGEMENT PLAN

Sean informed us that the SEIS for the graywater discharge issue should be released soon, hopefully in time for the SAC meeting in September.